Before the
**FEDERAL COMMUNICATIONS COMMISSION**
Washington, DC 20554

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| In the Matter of | ) | |
| | ) | |
| Amendment of Part 0, 1, 2, 15 and 18 of the Commission's Rules regarding Authorization Of Radiofrequency Equipment | ) | ET Docket No. 15-170 |
| | ) | |
| Request for the Allowance of Optional Electronic Labeling for Wireless Devices | ) | RM-11673 |

# COMMENTS OF INTEL CORPORATION

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## I. Introduction

Intel Corporation ("Intel") respectfully submits these comments to the above referenced proceeding to amend the rules regarding authorization of radio frequency equipment. Intel is a leader in designing and building the essential technologies that serve as the foundation for the world's computing and communications devices and as such it strongly backs policies that foster innovation and technology growth.

## II. Discussion

### *A. The FCC KDB Process Promotes Innovation.*

Intel commends the FCC for creating such a flexible, rigorous process, enabling more timely updates to the requirements, allowing consumers to reap the benefits of new innovative technologies, and maintaining US leadership in technology innovation. Technology is advancing rapidly and as the Commission recognizes the nature of RF devices is evolving.[1] Thus, while successful, the KDB process can be improved. For example, to reduce the approval times for new technologies, the FCC should hire more engineers to support the increasingly complex KDB reviews. Additionally, given the benefit of the KDB approach to innovation, we recommend the FCC evangelize the KDB process with other countries.

[1] NPRM at ¶14

### *B. The Verification And DoC Processes Should Be Combined Into A Single SDoC Process.*

We recommend the FCC move to an SDoC process for all approvals.[2] In addition, we make the following recommendations:

*1. The Commission Should Implement The SDoC Labeling Requirement For New Equipment Only And Allow Existing Verified Equipment To Continue To Use The Old Labeling System Until Product End-Of-Life.*

We support the FCC proposal to merge the two processes.[3] However, given the burden of changing labels for existing equipment, we recommend that the FCC phase-in the new SDoC process requirements for new equipment only, allowing the existing equipment to continue to use the old labeling system until the product's end-of-life, as opposed to implementing a 1 year phase in period.[4]

*2. The Commission Should Make Clear That Numerical Modeling Can Be Used For Approval.*

The Commission proposes to clarify that all devices must be tested for compliance and to remove the reference to "taking necessary steps" as a potential alternative to testing that is permitted under the current verification and DoC rule language.[5] However, because numerical modeling is a viable approach of demonstrating conformance to the rules, we recommend keeping the current language or modifying it to allow numerical modeling.

[2] NPRM at ¶¶ 24-32
[3] NPRM at ¶24
[4] NPRM at ¶31
[5] NPRM at ¶26

### *C. Modular Approval Requirements Should Move Into Part 2 Of The Rules.*

Intel agrees with the Commission that moving the modular approval requirements into Part 2 would better support current and future technologies[6]. In addition, we make the following recommendations:

*1. The Modular Approval Requirements Should Be Amended To Allow The Power Regulation To Reside Off The Module.*

Given it has become common practice for connection buses to incorporate power regulation, we propose the wording in 47 CFR Part 2.142(b)(3)[7] be revised as follows:

> **CFR 47 Part 2.142(b)(3):**[8] Each module must operate with regulated power which can include power regulation or management on the module, within the chip package, or from the host regulated power sources off the module.

*2. The FCC Should Remove The AC Conducted Line Test Requirement For Modules.*

Because modules are implemented into an end system, the requirement for AC conducted line tests should be eliminated. AC Conducted line tests are performed on the end system power supply, which contains its own power filtering.

*3. We Recommend The FCC Revise 47 CFR Part 2.1043(f)[9] Concerning "Changes in Certified Equipment"[10]*

Intel recommends revising 47 CFR Part 2.1043(f)[11] to clarify that it applies to the applicable configurations of the module:

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[6] NPRM at ¶39
[7] 47 CFR 2.142(b)(3)
[8] Ibid
[9] See NPRM Appendix A, proposed 47CFR 2.1043(f)
[10] NPRM at ¶¶ 47-57

**47 CFR Part 2.1043(f)**:[12] For modular devices that are incorporated in additional devices authorized as permissive changes under the original FCC Identifier(s), if the original grant of certification has prior permissive change approvals pursuant to paragraph (b)(2) of this section, all of the applicable module configurations used and marketed must be tested.

*4. Intel Recommends That The FCC Retain The Rules For Split Modules.*

While supportive of the Commission's proposals to allow software based control of RF parameters, the split module requirements are still valuable and should be kept. Although the Commission notes that the approval process has not been widely used,[13] we believe that rules for split modules continue to have merit for future implementations if modified. For example, one reason the device configuration has not been widely implemented may be the requirement in the rules for a digital interface between the split sections, given the added cost and space required for the analog to digital converters. We recommend the Commission consider changing this requirement to also include an analog connection between the split sections of the module.

*5. The Commission Should Further Streamline The Process By Allowing Manufacturers To List Different Part Numbers Under A Single Grant.*

We agree with the Commission's proposal to recognize a family of products under a single FCC ID,[14] which will further streamline the process. However, instead of requiring the manufacturer to specify different model numbers for each variation of

[11] See NPRM Appendix A, proposed 47CFR 2.1043(f)
[12] Ibid
[13] NPRM at ¶¶ 41
[14] NPRM at ¶ 55

product, we propose permitting the manufacturer to list all the variations under one model number and use different part numbers to control the differences.

### *D. Labeling Requirements Should Be Updated To Reflect New Form Factors And Technologies To Reduce Burden.*

We support the FCC proposals for e-labeling and agree that it should be optional.[15] It is important that the FCC expand labeling options, in particular to allow the use of e-labels, and other methods for new technologies and smaller form factors. In addition, we make the following recommendations:

*1. The Commission Should Further Expand The E-Labeling Options.*

The Commission should allow e-labeling for systems without a built-in terminal which provides the capability to attach to a remote terminal. Additionally, the FCC should allow RFID and QR codes to be used. This option would be particularly useful for smaller form factors and reduce administrative burdens. For example, Customs Border Protection (CBP) could scan the QR codes for the FCC information and consumers could use their smart phones to read the QR codes.

*2. The Commission Should Provide Flexible Labeling Options For Small Unauthorized Devices.*

The proposed expansion of labeling options for authorized devices that are too small should be extended to unauthorized devices, *e.g.*, e-labeling, including for remote terminals. Also, placing the labeling information in the manual or on the packaging should be allowed for unauthorized devices.

[15] NPRM at ¶¶ 93 to 106

### *E. The FCC Should Further Modify The Importation Rules To Minimize Administrative Burdens.*

We support the Commission's efforts to streamline the importation process to reduce the burden on importers, manufacturers, and the government. While we agree with the Commission's proposal to discontinue the submission of Form 740,[16] we do not agree "that by modifying its importation rules and procedures in this manner it will be able to reduce substantial administrative burdens."[17] The FCC's elimination of Form 740 simply shifts the burden of compliance to importers under the CBP regulatory regime without alleviating the reporting and compliance burden the Commission is focused on improving. The Commission states in the proposed rule, "compliance with our importation rules is implicitly addressed by the information already required by CBP,"[18] but it is unclear what data elements CBP will collect for compliance with the FCC rules.

*1. We Request The Commission Explicitly List The Data Elements Which Importers Are Required To Submit To CBP To Meet FCC Compliance Requirements.*

Today, importers are required to provide the CBP the following information for intentional and unintentional radiators: Device Model Number, Import Condition, FCC ID Number, Manufacturer Name and Country of Manufacture. When import shipments are received with missing data elements, the importer has the administrative burden of collecting the missing data elements, often from the original manufacturer, leading

[16] NPRM at ¶ 120
[17] ibid
[18] ibid

to increased supply chain cost, import delays and inability to meet critical timelines. The FCC should consider importers to only provide the Device Model Number and Manufacture Name. The FCC should have the ability to cross-reference this information against data already submitted by the manufacturer or responsible party.

*2. To Further Reduce Unnecessary Administrative Burden For The Importers, The Commission Should Consider Removal Of 47 CFR Part 2.1203[19] In Its Entirety.*

Compliance with the FCC rules should be the responsibility of the manufacturer or the responsible party. In the event, the Commission determines it is not feasible at this time to eliminate 47 CFR Part 2.1203,[20] we recommend the Commission remove 47 CFR Part 2.1203 (a)[21] and (b)[22] and update 47 CFR Part 2.1203 (c),[23] instructing importers to provide reporting requirements annually upon request, rather than complying with today's transaction-by-transaction reporting requirements.

Intel annually averages 300,000 unique entry summary lines, 40% of which are flagged for FCC import requirements or requirements under CBP's commodity classifications under the United States' Harmonized Tariff Schedule. As a result of continued innovation in mobile computing due to the Internet Of Things and wearables, we foresee these import volumes increasing. It would be preferential to allow importers the privilege of an annual reporting activity to the Commission as opposed to daily transactional data collection.

[19] See NPRM Appendix A, proposed 47 CFR 2.1203
[20] Ibid
[21] See NPRM Appendix A, proposed 47 CFR 2.1203(a)
[22] See NPRM Appendix A, proposed 47 CFR 2.1203(b)
[23] See NPRM Appendix A, proposed 47 CFR 2.1203(c)

In addition, the FCC should consider further reducing the administrative burden for lower risk transactions. CBP, for example, allows importers to apply a simplified declaration referred to as Section 321 under Title 19 CFR Part 10.151 for importations valued below $250USD. However, since there is no ability for importers to submit FCC relevant details on a Section 321, importers are forced to modify the entry to an informal declaration and pay a CBP Merchandise Processing Fee (MPF). This process vitiates the administrative relief afforded to importers by the CBP. The FCC should consider allowing importers to continue to benefit from CBP's regulation for low value importations or some variation of this regulatory policy. Specifically, the FCC could consider integrating these requirements under the CBP's current Automated Commercial Environment (ACE) functionality and process. The CBP ACE system would permit US importers to file compliance documents for Section 321 low value imports, including those subject to FCC requirements.

In the event the Commission chooses to remove 47 CFR Part 2.1203 (a)[24] and (b)[25] we propose the FCC revise 47 CFR Part 2.1203(c)[26] as follows:

> **CFR 47 Part 2.1203(c)**:[27] The importer or ultimate consignee, or their designated customs broker must provide within one year of the date of entry, documentation on how an imported radio frequency device was determined to be in compliance with Commission requirements.

[24] See NPRM Appendix A, proposed 47 CFR 2.1203(a)
[25] See NPRM Appendix A, proposed 47 CFR 2.1203(b)
[26] See NPRM Appendix A, proposed 47 CFR 2.1203(c)
[27] Ibid

Finally, Intel strongly recommends that the Commission and CBP synchronize FCC guidelines with the Harmonized Tariff Schedule and provide exceptions to the FCC reporting requirements for low value importations.

*3. Intel Recommends The FCC Consider Issuing Certain Benefits To Authorized Participants In Voluntary Trade Programs, Such As The C-TPAT And The Importer Self-Assessment (ISA).*

U.S. CBP has formulated the design for a holistic Trusted Trader program that unifies the current Customs-Trade Partnership Against Terrorism (C-TPAT) and the Importer Self-Assessment (ISA) processes in order to integrate supply chain security and trade compliance. The development of this program is a coordinated effort with members of the trade community, CBP and Partner Government Agencies (PGAs), and enables CBP and PGAs to provide participating companies the ability to enhance efficiencies for managing supply chain security and trade compliance. Intel believes this approach would fit with the Commission's equipment authorization and importation requirements, further streamlining its international trade activity. Therefore, Intel recommends the FCC work to integrate and extend the benefits of the CBP program for low-risk Importers.

*4. The FCC Should Allow Manufacturers To List Electrically Equivalent Equipment By Model Number Under The Same FCC ID And Manage The Information Via The FCC Database.*

Under the current rules, the responsible party may market devices having different model/type numbers or trade names without additional authorization from the Commission, provided that the devices are "electrically identical" and the

equipment bears an FCC ID validated by a grant of certification. However, under the FCC Importation rules, it is currently the responsibility of the importer, consignee or its designated customs broker to report the FCC ID on grant certified devices at the time of import.

Intel proposes the FCC should require the manufacturer or responsible party to report updated model numbers, device names, part numbers or trade names that are applied to an existing FCC ID, validated by a grant of certification to the Commission. This process would allow the Commission to better monitor a manufacturer's activity with existing FCC IDs. The Commission should further expand the OET database[28] to enable importers to view and validate a manufacturer's grant certifications by imported model numbers, allowing the importer's to better access the manufacturer's FCC product details and stay compliant with the FCC import requirements.

*5. The FCC Should Update The Rules To Allow Importers To Use Their Own Facilities To Manage Importation Of Unauthorized Devices.*

The use of a foreign trade zone or bonded facility for devices prior to the issuance of provisional grants of certification can be highly beneficial to the industry. Therefore, the Commission should retain 47 CFR Part 2.1201(c).[29] In addition, to reduce an importer's operating cost for a bonded facility, the Commission should permit importers to manage the importation of such unauthorized devices in the importer's facility. We also recommend that enforcement of the FCC rules should be

[28] See http://transition.fcc.gov/oet/ea/fccid/
[29] 47 CFR 2.1201(c)

similar to the record keeping requirements for foreign trade zones or bonded facilities. Importer self-management and self-regulation will maximize supply chain efficiency while safeguarding the Commission's regulatory objectives.

*6. Intel Recommends Increasing The Number Of Trade Show Devices Imported To 800, For Both Licensed And Unlicensed Devices.*

Intel agrees with the Commission's proposal to increase the tradeshow limit, however, we recommend the Commission raise the import limit to 800 devices for all tradeshow and demonstration purposes. It should also clarify that the limit applies to both licensed and unlicensed devices. In that regard, we recommend combining 47 CFR Parts 2.1204(a)(4)(i)[30] and 2.1204(a)(4)(ii)[31] into a single section to help reduce the importer's administrative burden of determining whether the imported tradeshow device is under a particular licensing scheme.

*7. The Number Of Devices Allowed To Be Imported For Personal Use Should Be increased To 10.*

Intel requests that the Commission raise the allowable number of personal devices to 10 devices and further expand the definition of "personal devices" to include "hand carry" by an individual on behalf of a corporation. This increase is appropriate given the growing number of linked or interconnected devices such as smartphones, tablets, laptops, smartwatches, smart bracelets and other wearables. The Commission should amend the entry allowing for "individual use" to include any

[30] See NPRM Appendix A, proposed 47CFR 2.1204(a)(4)(i)
[31] 47 CFR 2.1204(a)(4)(ii)

activity undertaken by an individual or corporation where the devices are not intended for transfer or sale.

*8. The Commission Should Further Update The Rules To Reflect The Importation Of Devices Issued A Provisional Grant Of Certification.*

Intel agrees with the Commission's proposal to modify existing language under #47 CFR Part 2.1204(a)(1),[32] accommodating devices issued a provisional grant of certification. We recommend the FCC provide additional clarification on the conditions for provisional certification, and provide reference under 47 CFR Part 2.803[33] of the FCC rules.

## III. Conclusion

Intel believes the FCC is making positive strides to further streamline approvals, integrate new processes in support of increased supply chain efficiency, and reduce the administrative burden on manufacturers and importers, while ensuring rigorous compliance by innovative new technologies. We support many parts of the NPRM; however, we urge the Commission to make further refinements to maximize consumer benefit from new technologies and maintain US leadership in technology innovation.

Respectfully submitted,

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[32] See NPRM, Appendix A, proposed 47 CFR 2.1204(a)(1)
[33] 47 CFR Part 2.803